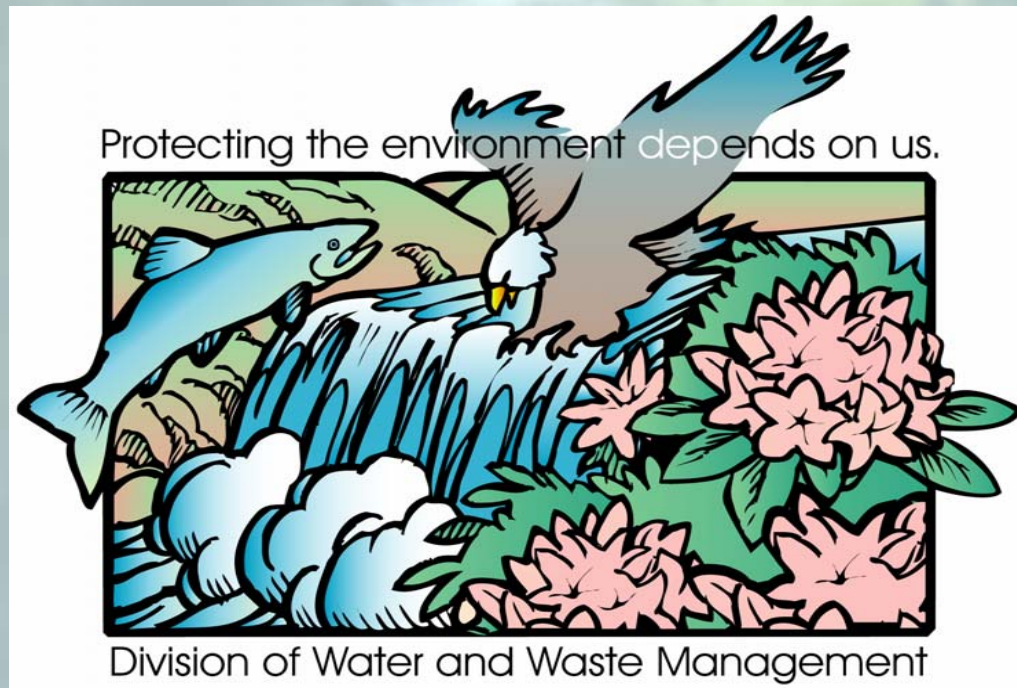




west virginia department of environmental protection

WV Water Quality Standards Update





Presented by

Linda B. Keller

WV Department of Environmental Protection

lkeller@wvdep.org

2007 EPA Region III Volunteer
Monitoring Conference
October 12, 2007



Water Use Categories

- Category A – Public Water Supply
- Category B – Propagation and maintenance of fish and other aquatic life

Category B1 – Contain populations composed of all warm water aquatic life

Category B2 – Waters which sustain year round trout populations

- Category C – Water Contact Recreation



Water Use Categories (cont.)

- Category D – Agriculture and Wildlife Uses

- Category D1 – Irrigation

- Category D2 – Livestock Watering

- Category D3 – Wildlife

- Category E – Industrial Water Supply

- Category E1 – Water Transport

- Category E2 – Cooling Water

- Category E3 – Power Production

- Category E4 - Industrial

WV Senate Bill 287

- **Effective 7/1/05, authority for WQS was transferred from Environmental Quality Board to DEP, both for ground and surface waters; existing rules remain in force.**

Open Meetings Requirement

- **SB 287 directed DEP to follow the Open Governmental Proceedings Act when meeting with interested parties during the deliberation process in the development of water quality standards and decisions on variances.**

2007 Proposed Triennial Review Timeline

September 2005

- **Public meeting to explain DEP process**
- **Solicit input on new or revised standards to be considered in the triennial review**

October-November 2005

- **DEP preliminary evaluation of standards to be addressed**

November 2005

- **Public meeting to discuss standards proposed to be addressed**

December – March 2006

- **Review of scientific information, fact gathering, drafting of rule revisions**

2007 Proposed Triennial Review Timeline

April 2006

- **Public meeting to explain draft rule revisions and basis**

May 2006

- **Draft proposed rule to DEP advisory council**

June 2006

- **Notice of public hearing/comment period on proposed rule**

July 2006

- **Public hearing on proposed rule**

August 2006

- **Filing of agency approved rule/response to comments with
Legislative Rulemaking Review Committee & Secretary of State**

2007 Proposed Triennial Review Timeline

Fall 2006

- **Agency approved rule considered by Legislative Rulemaking Review Committee**

January 2007 – March 2007

- **Agency approved rule in Legislature**

May 2007

- **Filing of final rule with Secretary of State**

July 2007

- **Rationale document and final rule sent to EPA for approval**

2007 Triennial Review Timeline REVISED

January 2007 – March 2007

- **Agency approved rule in Legislature**
- **Agency approved rule was not acted on during 2007 Legislative Session**

June 2007

- **Notice of public hearing/comment period on proposed rule**

July 2007

- **Public hearing on proposed rule**

July 2007

- **Agency approved rule filed with Secretary of State office for consideration during the 2008 Legislative Session**

Current Revisions



Submitted to 2008 Legislature

- Nutrients criteria for warm and cool water lakes
 - Phosphorus
 - Chlorophyll-a
- Updated trout water list (494) to reflect currently known trout waters of the State
- Arsenic human health criterion (Cat A & C) changed from 50 ug/L to 10 ug/l
- Benzene criterion for human health (Cat C) from 71 ug/L to 51 ug/l
- Selenium human health criterion for public water supply (Cat A) from 10 ug/l to 50 ug/l

Current Revisions




Submitted to 2008 Legislature

- All halomethanes and polynuclear aromatic hydrocarbons are listed as individual compounds and the limits are based on EPA's Current National Recommended Water Quality Criteria
- Makes permanent the warmwater aquatic life chronic dissolved aluminum criterion of 750 ug/l
- Fecal coliform exception on the Ohio River
- Removal of Water Use Category A (Public water supply) from Pats Branch stream segment

What's Ahead



- Category A
 - Zones of Critical Concern (ZCC) or other protective zone approach
 - Designated flows (i.e. 7Q10)
- Mercury
- Fecal coliform/E. Coli/Enterococci???
- Selenium criteria for aquatic life (Cat B)
- Nutrient criteria for rivers and streams



WVDEP Water Quality Standards Webpage

www.wvdep.org/wqstandards



23 6:44 PM